FOR MYSORE STATE

(1954) Department.

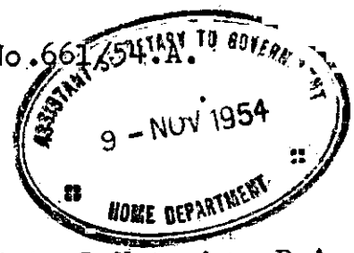
RT SERIES.

G.O. No. 3408

Dated 17.11.54

[Despatch Abstract.]

Roc.No.661/54.A.



Judicial Dt.Magistrate's Office,
South Kanara, Mangalore,
Dated.4.11.54.

From

Sri. D.Noronha, B.A.,B.L.,
Judicial Dt. Magistrate,
South Kanara.

To

The Secretary to Government,
Home Department,
Madras.

Sir,

MAGISTRATES: Stipendiary Second Class - Chandrashekara Hegde Sri. B. and four others-Additional powers under Cr. P.C and special powers - grant of - recommended.

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The following Magistrates in this district have not been empowered under Secs.164, 167 and 562 Cr.P.C., and to deal with offenders under the Madras Probation of Offenders Act, and the Madras Childrens Act. Consequently both the magistrates and police have to send accused persons to my court or to the Sub Divisional Magistrate, Puttur. This involves considerable time and waste of public money and delays in proceedings. All the courts shown below are located in mufussil stations, far removed from Mangalore and Puttur. For the convenience of both the magistrary and police, in the public interest, I request that the following magistrates may be invested with the powers as noted against each.

Name of Magistrate (in full.)	Powers already invested.	Additional powers now recommended.
1.Sri. P.Chandra Shekara Hegde, (Sub Magistrate Udipi.)	II Class powers as per G.O.R.No.1930 (Home), dated.29.6.54, Evidence Power under Sec.357, Cr.P.C., as per G.o.R. 2617 (Home), dt.2.9.54.	Powers under Secs. 164, 167, and 562 Cr.P.C.
2.Sri. Adur Venkat Rao, (Sub Magistrate, Coondapur.)		2) Powers under Sec.3 and 4 of the Madras Probation of offenders Act 1937 (Act No.III)
3. Sri.B.Vishwanath Rai (Sub Magistrate Puttur).		3) Powers under the Children Act III 1937 (All Powers)
4. Sri. K. Ranga Rao (Sub Magistrate, Kasaragod)		
5.Sri.T.Abdulmajeed (Sub Magistrate, Hosdrug).	II.Class Powers and evidence powers as per G.O.R.No. 2309 (Home) dated.30.7.54.	

2. Sri. R.C. Castelino, Sub Magistrate (Judicial) Buntwal has been invested on 3.1.1950, with all the ordinary, powers of a II Class Magistrate including powers under Sec.164, 167 and 562 Cr.P.C, powers under the Madras Probation of offenders Act and the Madras Children Act. He had been empowered to take down evidence of witnesses in English in the other districts when he was serving as Sub Magistrate, Addl.I.Cl.Magistrate, etc.

pto

This power has not been renewed after his appointment in this district as Sub Magistrate, Buntwal. ~~&~~ The commentaries under Sec.357 Cr.P.C. seem to suggest that the authority conferred by this section is personal to the officer and remains in force only so long as he remains in the district in which it has been conferred. In the circumstances I request that Sri.R.C.Castelino, Sub Magistrate (Judl.) Buntwal, may be empowered to record evidence of the witnesses in English in this district.

Yours faithfully,

v.6.11.

Judl.Dt.Magistrate,
S.K.

Copy to the Registrar, High Court, Madras.

R.O.C.No.7373/54-E-2.

From –

Sri R.Jayaram Ayyar, M.A.B.L.,
Registrar,
High Court, MADRAS.

To

The Secretary to Government,
Home Department,
Madras. dated 12th November, 1954.

Sir,

Sub:- Magistrates-Stipendiary-Second Class-South Kanara District-Chandrasekara Hegde, Sri Pand others-Investiture of Powers-Proposals-Recommended.

C: 148130 16.11.54

Ref:- Letter Roc.No.661/54-A dated 4-11-54 from the District Magistrate(Judicial), South Kanara to the Government.

I am to invite a reference to the above letter from the District Magistrate (judicial) South Kanara on the subject cited and to state that the Honourable the Judges recommend the proposal of the District Magistrate contained therein.

R Jayaram
Registrar

Copy to: The District Magistrate(Judicial)
South Kanara at Mangalore.

RB.

Precedent at X

Rt 2226 fasc 237 SK

802—30-4-49.

(C. No. 148130/54)

HOME DEPARTMENT (II-B).

G.O. R. No. 3408 dated 17.11.54

Magistrates — Stipendiary — South Kanara district —

Second class — Sri P. CHANDRA SHE KARA HEGDE and four others

Powers under sections 164, 167 and 562, Cr.P.C. and under the Children Act and Probation of Offenders Act — Granted. — Sri R.C. CASTELINO — Evidence powers - Granted

READ.—G.O. R. No:

Home, dated

From the D.M. (Judl) S. Kanara, Rc. M. 661/54-A dt. 4.11.54.

ORDER: From the High Ct., Madras Roc. No. 7373/54-E2 dt 12.11.54.

The following notifications will be published in the *Fort St. George Gazette* :—

Notifications.

I

Under section 164 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the undermentioned second-class magistrates in the district of South Kanara are/~~is~~ empowered to record any statement or confession made to them/~~him~~ in the course of an investigation under Chapter XIV of the said Code or at any time afterwards before the commencement of the enquiry or trial

(1) Sri P. CHANDRASHEKARA HEGDE.
(2) Sri ADUR VENKAT RAO.
(3) Sri B. VISHWANATH RAI
(4) Sri K. RANGA RAO
(5) Sri T. ABDULMAJEED

Notfn. No. 969 dt. 1-12-54 at page 1546.

II

Under section 167 of the Code of Criminal Procedure, 1898 (Central Act V of 1988), the undermentioned second-class magistrates in the district of South Kanara are/~~is~~ empowered to authorize the detention of accused persons in the custody of the Police.

(1) Sri P. CHANDRASHEKARA HEGDE
(2) Sri ADUR VENKAT RAO
(3) Sri B. VISHWANATH RAI
(4) Sri K. RANGA RAO
(5) Sri T. ABDUL MAJEED.

Notfn. No. 96970 dt. 1.12.54 at page 1546

III

Uunder section 562 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the undermentioned second-class magistrates in the district of South Kanara are/is empowered to pass orders as to first offenders.

1) Sri P. CHANDRASHEKARA HEGDE.
2) Sri ADUR VENKAT RAO
3) Sri B. VISHWANATH RAI
4) Sri K. RANGA RAO
5) Sri T. ABDUL MAJEED

Notfn. No. 971 dt. 1.12.54
at page 1546

The Governor of Madras hereby empowers

IV

Under section 5 of the Madras Probation of Offenders Act, 1936 (Madras Act III of 1937) the undermentioned second-class magistrates in the district of South KANARA are/~~is empowered~~ to exercise the powers conferred by sections 3 and 4 of the said Act.

1) Sri P. CHANDRASHEKARA HEGDE
2) Sri ADUR VENKAT RAO
3) Sri B. VISHWANATH RAI
4) Sri K. RANGA RAO
5) Sri T. ABDUL MAJEED

Notfn No. 972 dt. 1.12.54
at page 1546

To the D.M.
To the S.G.P. for publication of the notification in the *Fort St. George Gazette*.
Copy to the Inspector-General of Prisons, Madras.
Copy to Public Works (I and P) Department.

(P.T.O.)

502—30-4-49.

HOME DEPARTMENT (II-C)

G.O. R. No. *dated*

Magistrates — Stipendiary — district —
Second class —
Powers under the Opium Act, Dangerous Drugs Act and Children Act — Granted.

READ.—G.O. R. No Home, dated
From the D.M.

ORDER :

The following notifications will be published in the *Fort St. George Gazette* :—

Notifications.

I

In exercise of the powers conferred by section 3 of the Opium Act, 1878 (I of 1878), the undermentioned second-class magistrates in the district of are/is specially empowered to try cases under the said Act.

II

In exercise of the powers conferred by sub-section (1) of section 22 of the Dangerous Drugs Act, 1930 (II of 1930), the undermentioned second-class magistrates in the district of are/is specially empowered to issue warrents for arrest and for search under the said sub-section.

(P.T.O)

III

In exercise of the powers conferred by section 31 of the Dangerous Drugs Act, 1930 (II of 1930), read with the notification of the Government of India, Finance department (Central Revenues), No. 2, Dangerous Drugs, dated the 25th March 1939, the undermentioned second-class magistrates in the district of are/is empowered to try offences under the said Act.

V

IV

section 4 of the Madras Children Act, 1920 (Madras Act IV of 1920) the undermentioned second-class magistrates in the district of South KANARA are/~~is~~ specially authorized to exercise all the powers conferred on a court by the said Act.

1) Sri P. CHANDRASHEKARA HEGDE
2) Sri ADUR VENKAT RAO
3) Sri B. VISHWANATH RAI
4) Sri K. RANGA RAO
5) Sri T. ABDUL MAJEED.

VI

Under Section 357 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Governor of Madras hereby directs the undermentioned second-class magistrate in the district of South Kanara to take down the evidence of witnesses with his own hand in the English language.

Sri R. C. CASTELINO.

16.11.54

IR 17/11/54

To the Regr., High Ct., Madras
To the D.M. (Judl), South Kanara
~~To the S.G.P.~~ for publication of the notification in the Gazette.
~~Copy to Public Works (I. and P.)~~ Department.
the Collector, S Kanara.

by 17.11.54

Notfn. No. 973 dt. Dec 1.5 at page 1546.

(Controller of Printing & Stationery Madras)

CENTRAL DESPATCH BRANCH

Despatched by ... Foot. Messenger.

Date 24/11 1954 By order's Initials.

(Issued as G.O. Rt. 3408 dt. 17.11.54)